

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

EPIC GAMES, INC.,

Plaintiff, Counter-
defendant

v.

APPLE INC.,

Defendant,
Counterclaimant.

Case No. 4:20-cv-05640-YGR-TSH

**[PROPOSED] ORDER RE: DEFENDANT
APPLE INC.'S ADMINISTRATIVE
MOTION TO PARTIALLY SEAL
PORTIONS OF THE PARTIES' TRIAL
EXHIBITS AND LIVE TRIAL TESTIMONY
RELATED THERETO**

Defendant Apple Inc. has filed a Motion to Partially Seal Portions of the Parties' Trial Exhibits and Live Trial Testimony Related Thereto (the "Motion"). In support, Defendant Apple Inc. ("Apple") filed the supporting declaration of Rachel S. Brass.

Having considered the Motion, all associated declarations, exhibits, and any argument of counsel, and for good cause appearing:

IT IS HEREBY ORDERED that the Motion is **GRANTED**. Accordingly:

(1) To the extent the documents and deposition designations sought to be sealed by the Motion are introduced into evidence at trial, those documents and designations shall remain under seal, for reasons articulated in the table below;

(2) the Court shall temporarily limit public access to the trial proceedings to those present live in the courtroom while sealable information related to trial exhibits is being discussed; and

(3) portions of the transcript related to such sealable information are additionally ordered sealed.

Trial Exhibit No.	Reason for Sealing and Evidence Offered in Support	Grant or Deny
DX-4089A	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
PX-0101	Contains confidential information that could be used to evade Apple's security protocols. Brass Decl. ¶¶ 9-12.	
PX-0191	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
PX-1085	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-1896	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
PX-1901	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	

Trial Exhibit No.	Reason for Sealing and Evidence Offered in Support	Grant or Deny
PX-1922	Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
PX-2090	Contains confidential information that could be used to evade Apple's security protocols. Brass Decl. ¶¶ 9-12.	
PX-2174	Contains confidential information that could be used to evade Apple's security protocols. Brass Decl. ¶¶ 9-12.	
PX-2302	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
PX-2303	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
PX-2309	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
PX-2337	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
PX-2350	Contains confidential information that could be used to evade Apple's security protocols. Brass Decl. ¶¶ 9-12. Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
PX-2366	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8. Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
PX-2367	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16. Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	

Trial Exhibit No.	Reason for Sealing and Evidence Offered in Support	Grant or Deny
PX-2378	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
PX-2389	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
PX-2390	Contains confidential competitively sensitive information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 13-16.	
Epic Ex. Depo. 8	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
Epic Ex. Depo. 9	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	
Epic Ex. Depo. 11	Contains confidential information that could be used to evade Apple's security protocols. Brass Decl. ¶¶ 9-12.	
Epic Ex. Depo. 12	Contains confidential information that could be used to evade Apple's security protocols. Brass Decl. ¶¶ 9-12. Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8. Contains confidential third-party information that, if disclosed, would put third parties at a competitive disadvantage. Brass Decl. ¶¶ 17-18.	
Epic Ex. Depo. 13	Contains confidential information that could be used to evade Apple's security protocols. Brass Decl. ¶¶ 9-12.	
Epic Ex. Depo. 19	Contains non-public financial information that, if disclosed, would put Apple at a competitive disadvantage. Brass Decl. ¶¶ 7-8.	

IT IS SO ORDERED.

DATED: _____, 2021

The Honorable Yvonne Gonzalez Rogers
United States District Judge

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